

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

FRANK STAPLES, et al.

v.

Civil No. 24-cv-00331-LM-TSM

KELLY AYOTTE, GOVERNOR, et al.


ORDER

On July 22, 2025, Plaintiff Frank Staples filed a Motion for Temporary Restraining Order and Preliminary Injunction ([Doc. No. 66](#)), wherein he requests a temporary restraining order (“TRO”) and preliminary injunctive relief to stop “a pattern of official oppression and retaliatory harassment by” Defendants,¹ New Hampshire state officials. [Id.](#) at [pg. 1](#). In an Endorsed Report and Recommendation issued this date, the court recommended that the district court deny Mr. Staples’ request for a TRO. However, the court reserved a recommendation regarding the request for preliminary injunctive relief until the motion was fully briefed.

¹ A number of defendants have not been served since Plaintiffs filed their Amended Complaint on April 10, 2025 ([Doc. No. 48](#)). Plaintiffs have served the following defendants: New Hampshire’s Governor Kelly Ayotte and Attorney General John Formella, Christopher Sununu (for his individual capacity claims), Charles O’Leary, and a series of John Doe defendants who are law enforcement officers. [See Doc. No. 53 at pg. 1](#); [id.](#) at [n.1](#); [Doc. No. 46](#) (substituting the current Governor Kelly Ayotte with former Governor Christopher Sununu for Plaintiffs’ official capacity claims against Sununu). In their First Amended Complaint, Plaintiffs added, but have not served, the following defendants: New Hampshire State Police; Town of Newfields; Newfields Police Department; New Hampshire State Troopers Megan Walsh and Gregory Deluca; the estate of Kathleen O’Brien (former Newfields Police Officer); and a series of John Doe defendants, who are either government agents, law enforcement officers, or officials whose identities are not known. [Doc. No. 48 at ¶¶ 17–24](#).

Accordingly, the court orders Defendants to respond to Mr. Staples' Motion ([Doc. No. 66](#)) within thirty (30) days of this Order. Thereafter, Plaintiffs may submit a reply brief within fourteen (14) days of Defendants' response. Once the motion is fully briefed, the court will determine whether a hearing is necessary.

SO ORDERED.



Talesha L. Saint-Marc
U.S. Magistrate Judge

July 29, 2025

cc: Frank Staples, pro se
Kathleen Bussiere, pro se
Counsel of Record